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November 6, 2002

VIA ELECTRONIC SUBMISSION

Ms. Marlene H. Dortch
Secretary
Office of the Secretary
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

Re: **Memorandum of Ex Parte Presentation**
CC Docket No. 01-338, Review of the Section 251 Unbundling
Obligations of Incumbent Local Exchange Carriers;
CC Docket No. 96-98, Implementation of the Local Competition
Provisions in the Telecommunications Act of 1996; and
CC Docket No. 98-147, Deployment of Wireline Services Offering
Advanced Telecommunications Capability

Dear Ms. Dortch:

On November 5, 2002, James C. Smith representing SBC Communications, Inc. (SBC), met with Christopher Libertelli, senior legal advisor to Chairman Michael Powell. The purpose of the meeting was to discuss transition issues that would arise if the FCC eliminated switching as a UNE. Mr. Smith discussed the availability of competitive alternatives and the role UNE-P plays in undercutting facilities investment. Further, absent a mandated UNE-Platform offering ILECs have incentives to provide wholesale alternatives to fulfill the business needs of both CLECs and ILECs.

Pursuant to Section 1.1206(b) of the Commission's rules, this *ex parte* is being electronically filed. I ask that this *ex parte* be recognized with the proceedings identified above.

Please call me should you have any questions.

Sincerely,

/s/ Brian J. Benison

CC: Christopher Libertelli